

DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES  
**DIVISION OF ENVIRONMENTAL PROTECTION**

333 W. Nye Lane, Room 138  
Carson City, Nevada 89706-0851

PUBLIC NOTICE  
REQUEST FOR COMMENT

**The Nevada Division of Environmental Protection (NDEP)** is requesting public comment on a proposed action by the NDEP to issue a Permit to a facility for the land disposal of Coal Combustion By-Products, consisting of flyash and bottom ash, and water treatment filter cake. The proposed landfill is located approximately 3 miles north of Dunphy, Nevada, in Eureka County; the facility is owned and operated by Newmont Nevada Energy Investment LLC (Newmont).

The Administrator, Nevada Division of Environmental Protection, Carson City, Nevada, is issuing the following notice of proposed action under the Nevada Administrative Code 444.570 through 444.7499, and under the Nevada Revised Statutes 444.440 through 444.620, inclusive. The Administrator has received a complete application to construct and operate a Class III Disposal Site and is proposing to issue a Permit to the following applicant at the conclusion of the public comment period:

**Newmont Nevada Energy Investment LLC**

The NDEP proposes to issue a Permit for a Class III Disposal Site at:

Township/Range/Section - 33N/48E/11 & 14 MDB&M, approximately three miles north of Dunphy, Nevada

The DRAFT PERMIT is based on the application received by NDEP from Newmont for the operation of a Class III solid waste management landfill. The DRAFT PERMIT authorizes the disposal of waste in a fully lined landfill with groundwater monitoring, leachate collection and run on/run off control.

The CCBPs and water treatment filter cake disposed at the landfill will originate from the TS Power Plant with no other waste permitted for disposal. Any residues or wastes that cannot be disposed onsite must be shipped to an off-site permitted treatment or disposal facility. At the time of closure, the DRAFT PERMIT requires Newmont to conduct post-closure care and continue groundwater monitoring of the facility as required by the NDEP.

The Administrative Record, which includes the DRAFT PERMIT, Application and Fact Sheet, is available for public review by appointment between the hours of 8:00 AM and 5:00 PM, Monday through Friday at the NDEP offices at 333 W. Nye Lane, Room 138, Carson City NV 89706-0851 in Carson City. A copy of the DRAFT PERMIT and Application may also be reviewed at:

Battle Mountain Branch Library  
625 South Broad Street  
P.O. Box 141  
Battle Mountain, Nevada 89820  
(775) 635-2534

Please bring this notice to the attention of all persons whom you believe have an interest in this matter.

Anyone wishing to submit comments or request a hearing on the DRAFT PERMIT should do so in writing on or before June 9<sup>th</sup>, 2005 and mail to the address below. All comments or requests for a public hearing received during the public comment period will be addressed in final determinations by the NDEP. A request for a public hearing must state the nature of the issues the requester intends to raise at the hearing. The Administrator may extend the period for public review as necessary.

Mr. Jon Taylor PE,  
Nevada Division of Environmental Protection,  
Bureau of Waste Management,  
333 W. Nye Lane, Room 138,  
Carson City NV 89706-0851

Mr. Taylor may also be contacted for copies of the Fact Sheet or answers to questions by calling (775) 687-9477 or by email: [jtaylor@ndep.nv.gov](mailto:jtaylor@ndep.nv.gov). Additional information may also be obtained at <http://ndep.nv.gov/admin/public.htm>

The Administrator may schedule a public hearing. A public notice of such hearing will be issued and published in a newspaper of local interest at least 30 days before the date of the hearing.

A statement responding to written comments on the proposed issuance of the permit shall be issued. Copies of the statement will be sent to the applicant, person(s) who submitted the written comments, and all other persons who specifically request, in writing, a copy of the statement. A copy of the statement will be made available for inspection by the public at a location to be determined by the Administrator.